

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

S5 15-cr-379 (PKC)

-against-

ORDER

OTTO RENE SALGUERO MORALES and
RONALD ENRIQUE SALGUERO PORTILLO,

Defendants.

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CASTEL, U.S.D.J.

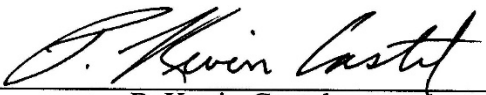
In one of the numerous letters of defense counsel seeking an adjournment in this case, defense counsel advised the Court on March 30, 2022 that “[o]n March 28, 2022, defendant R. Salguero’s first set of reciprocal discovery was disclosed to the government by letter and a USB containing a total of 2791 pages of documents, which still are pending translation.” (George Letter of Mar. 30, 2022; Doc 418.) This was interesting information of little import to the Court because the government was not the party seeking an adjournment. On July 1, 2022, defense counsel wrote seeking a further adjournment of the conference until after September 1, 2022 noting that it was meeting with the government on July 12, 2022 to discuss the reciprocal discovery it had produced. (George Letter of July 1, 2022; Doc 442.) Again, defendants’ reciprocal discovery to the government was only marginally related to the requested adjournment.

Having granted the request and rescheduled the conference for September 14, 2022, defense counsel now wants to accelerate the conference because of the 4,000 pages of reciprocal discovery it has made to the government in three tranches. (George Letter of Aug. 1, 2022; Doc 446.) This is good news if defendants are now signaling that they are prepared to

proceed to trial. But the letter is far more cryptic. It suggests that defense counsel has uncovered “material issues and concerns that warrant thorough attention” and that “it would serve the court well if it were to receive, sooner than later, information concerning the course of the investigation, further inquiries and anticipated progress.” Presumably, defense counsel and the government are fully aware of the content and import of this reciprocal discovery. Defense counsel proposes to spare the Court of any details until they have an opportunity to stand in open court and reveal them.

The application to accelerate the conference date is DENIED without prejudice to renewal in a written submission (1) setting forth a fulsome explanation of the purpose of the conference and the relevance to that purpose of the so-called reciprocal discovery by the defendants; (2) the date the third tranche of reciprocal discovery was received by defense counsel and the date it was produced to the government; and (3) defense counsel’s availability for trial during the fourth quarter of 2022 and the first and second quarters of 2023.

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
August 2, 2022